



COMMITTEE of the WHOLE

CITY COUNCIL

MINUTES
May 21, 2007
5:00 P.M.
Council Office

COUNCIL MEMBERS PRESENT:

V. Spencer, S. Fuhs, S. Marmarou, M. Baez, J. Waltman, M. Goodman-Hinnershitz, D. Sterner

OTHERS IN ATTENDANCE:

T. McMahon, L. Churchill, C. Kanezo, C. Younger, L. Kelleher, J. Khokhar, A. Mukerji, S. Lingle

Mr. Waltman, Vice President of Council, called the Committee of the Whole meeting to order at 5:00p.m. Ms. Kelleher explained that due to scheduling conflicts the discussion with representatives of the Parking Authority was postponed until Tuesday, May 29th.

I. Sidewalk Café Ordinance

Mr. Waltman stated the revised ordinance, which differentiated between small and large business establishments was closer to what he and other members of Council were looking for. Mr. Waltman did object to requiring business produce one million dollars in liability coverage. Mr. Fuhs agreed, stating that one million dollars appeared excessive. Mr. Waltman recommended requiring five hundred thousand dollars. Mr. Marmarou commented that the premium was very similar for either level of coverage, so Council shouldn't worry about the financial burden imposed by requiring the greater level of coverage. Mr. Waltman asked if the exact costs could be provided.

Mr. Marmarou commented that the ordinance should only cover establishments operating in the downtown. Mr. Sterner countered that it would be more appropriate to allow sidewalk cafes to operate anywhere in the city; however, cafes operating outside of the designated area would require the approval of Council. Mr. Churchill provided some rationale why it would be better to limit sidewalk cafes to a set area:

1. Enforcement would be easier, as establishments operating outside of the boundaries could be easily identified and cited;
2. If cafes are successful, they will help draw people to the downtown.

Mr. Waltman agreed that establishments should be able to open outside of the designated area, provided Council approval was given.

II. Solid Waste Ordinance

Mayor McMahon stated the Solid Waste Ordinance has been revised slightly, to take into consideration concerns raised by members of Council in the past (see attached copy of the ordinance). Council supported the proposed revisions, with the exception of Mr. Waltman, who felt the proposed ordinance failed to address current problems. Mr. Waltman suggested the formation of a citizen trash commission. The commission would adjudicate trash complaints and continually evaluate the system, looking for methods of improvement.

Mr. Marmarou asked if the City would be in a position to properly enforce the ordinance. Mr. Churchill stated that resources would be available to ensure proper enforcement. Ms. Goodman-Hinnershitz complimented the outstanding work of Frank Denbowski and his staff.

III. Citizens Inspection Program

Mr. Khokhar informed Council that the Citizens Inspection Program is in the process of training and orientation; as of 05/21/07 Codes has received 12 applications: 3 have received training, 3 are in the process of training and 6 others are in various states of preparation. Mr. Churchill commented that word of mouth advertising has been most effective. Mr. Khokhar explained how the Office of Neighborhood Development and Codes Staff have been running training sessions; training consists of the following:

1. An orientation session, where prospective inspectors are introduced to staff from Codes and the Office of Neighborhood Development;
2. Review of existing codes regulations;
3. Shadow inspection with a Codes Inspector.

After completing the shadow inspection an individual will be certified as a Citizen Code Inspector. Mr. Waltman asked what types of enforcement powers would be possessed by the inspectors. Mr. Khokhar stated inspectors could notify property owners of code violations and then report the matter to Codes, which would result in a Codes Inspector being sent to the property to confirm the citation. Mr. Churchill remarked that citizen inspectors would become the eyes and ear of codes and could possibly be detailed on other codes related projects.

Mr. Sterner suggested citizen inspectors be used to help identify illegally converted properties and landlords who are operating without proper permits. Mr. Churchill agreed that citizen inspectors would probably be very successful in perusing those and similar assignments.

IV. CDBG Work Out Plan

Mr. Mukerji explained that Community Development hired a consultant to verify the total amount of unallocated CDBG funds. The consultant reviewed information dating to 1994 and has determined that a serious disconnect exists between local and federal accounting practices. This disconnect is partly to blame for accumulation of CDBG funds. Mr. Steve Lingle –the consultant –determined that a large number of previously issued 108 loans were de facto grants, since the City never made a serious effort to collect payment; when the City finally did make efforts beginning in 2002 it was too late.

Mr. Lingle explained that his review has shown 163 active accounts; of the 163, 85 have been closed and 96 are in the process of closing. Mr. Fuhs asked for an explanation of the effects, which result from failing to expend CDBG funds in a timely manner. Mr. Lingle stated that the immediate effect is HUD will recall the money. Budgetary pressures at the federal level guarantee that the government will reclaim any funds not expended exactly according to regulation. Mr. Mukerji explained the City, through the generosity of Albert Boscov and Our City Reading, has been able to utilize float loans, which secures the money until the City needs to recall the loan. However, federal regulations only allow for two consecutive float loans, which limit options for the future.

Mr. Waltman asked why funds are not being expended according to regulation. Mr. Mukerji and Mr. Churchill explained that the City has poor project management capabilities. Mr. Churchill stated a designated project manager would be necessary. This individual would be responsible for shepherding projects along, from design, through completion. Mayor McMahon suggested Community Development develop a list of projects and divide this list into categories; the categories would be based on how quickly a project could be completed.

Mr. Mukerji stated the draft workout plan indicated projects that could be completed, while meeting the timeliness test stipulated by HUD. Mr. Lingle informed Council that Community Development will finalize the workout plan and present the document to Council for review. Mr. Lingle also urged Council and the Administration to develop an operation and policy statement, which clearly defines how project management would occur.

V. Public Works Committee Topics

Mr. Jones informed Council of the submission of a petition requesting the renaming of the Baer Park field house. The petition was submitted by Carlo Diaz-Luna. Mr. Luna is proposing to name the field house in honor of Betty Gross. Ms. Gross was very active at Baer Park until her passing. Mr. Jones stated that Mr. Luna submitted a petition; however, failed to provide additional documentation. Ms. Goodman-Hinnershitz suggested revisiting the issue after Mr. Luna provided background information.

Mr. Jones informed Council that lighting of memorial could be accomplished in 2007. Ms. Kelleher asked if CDBG funds could be applied to new lighting. Both Mr.

Churchill and Mr. Jones believed CDBG funds could be applied to new lighting projects. Mr. Jones thought adequate funds would remain in the Public Works budget to cover costs of the project. Ms. Goodman-Hinnershitz asked to discuss the issue in more detail at the next Public Works committee meeting.

The meeting adjourned at 7:10p.m.

Respectfully Submitted

By: _____
Linda A. Kelleher, City Clerk